

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
**Zucherman et al.** )  
Serial No.: **10/790,561** ) PATENT PENDING  
Filed: **March 1, 2004** ) Examiner: Jerry L. Cumberledge  
For: **Spinous Process Implant with Tethers** ) Group Art Unit: 3733  
Docket No: **5910-169** ) Confirmation No.: 9704  
)  
)

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
 transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

4 February 2009

Date



Cora Fedornock

This correspondence is being:

electronically submitted via EFS-Web

**RESPONSE TO FINAL OFFICE ACTION**

This paper is being filed in response to the Final Office Action mailed 23 December 2008. Reconsideration is respectfully requested in light of the amendments and/or remarks below. While no fees should be required for entry of this response, if any fees or charges are required, the Commissioner is hereby authorized to charge them to Deposit Account 18-1167.